Preserved

App. F. IX-4

193 5-6
(Mug)

File No. 84-35

Serial Nos. ~~1-35~~ ~~8-9~~ 1-9

Previous Referenees

Mug 303-32-(1+2)
G.O. No. 1557-55/Mug 9-25-1938 21-10-38
Mug 68-20-(1-15)

~~Latter References~~ Mug 9-25-1-17 to 20
Mug 5-26-21-30-43 to 45

Late References.
Mug 150-47 (1-2)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. ~~1, 2, 3, 4, 6, 7-9.~~
Nine

Part B for January 1938.

SUBJECT.

Succession to Sri Kanchi Kamakoti Peetham Mutt
Adhyakshaship etc.

G.O. No. 550. 2 R. 10.12.1937 recognising
Sundara Vira Vadiyar as the Swamy Sri Kanchi Kamakoti
Mutt Adhyakshar etc.

WD 0206—GPB—22,500—18-8 37

Succession to Sri Ramalingeswara Swamy Mutt. Bangalore City.

Letter No 172/35-36 dt 12-8-1935 from the Muzrai Commissioner recommending approval to the succession of Mari Shankaraswami to Sri Kari Sadeshwara Swamiship Mutt Chickballapur Taluk &c.

Reference is invited to decision in Muz Rev Is 16 of 33-34 (Muz 303-32-12) this office. It is therein ordered that steps may be taken to recognise some person to the headship of Sri Kari Sadeshwara Swamiship Mutt. In para 3 of the D.C's letter of 2.8.35 addressed to M.C. it is stated as follows:—

"The S.D.O. states that he has found that the late Sadashivaraswamiji had approached the M.C. to approve of the appointment of the young boy (age 16 yrs) — This is not borne out by the records — The then M.C. (Mr. S. Hiriannaiya) has in his decision of 24.1.33 stated as follows: —

* * *

"If the question of appointing a successor to the Mutt had come before us in the proper manner from the Swamiji of the [illegible] House Class to the head of Sri Mutt we would have [illegible] Doubtless the application [illegible] to the Revenue Officer

NOTE—Contn. Sheet.

Evidently if he were satisfied with the request of the Swamis, he would have taken steps to make a recommendation to Govt.

In para 4 of the D.C's letter of 2-8-35 Channaveera Swamis is stated to have been looking after the mutt prior to 1902. That he was the Swamis of the mutt Queen Aug 1908 is borne out by the Office records - flagged A.

The records go to show that one Set of disciples of the mutt are in favour of accepting the candidate (now recommended) for the Peeta of the mutt (Vide the Mutchalka of 17-11-29 signed by Mr. Desada Basavalinga Setty - ~~Attached~~ Bangalore). The other Set of disciples 25/1/30 the Hon G. Mallikarjunaiya, G. Sankariappa Setty have intimated that the Candidate (now recommended) should not be appointed to the Peeta of the mutt. N. V

Now the question is in regard to the rules relating to the succession to mutts - pp. 497-498 of the Govt. Manual. As the selection of a Candidate for the Peeta has now to be made especially after the demise of the

Re: Succession to Sri Kari Siddesvara Mutt, Bangalore city

General and Revenue Secretariat. | File No. 84 of 1935 | [App. F. III-2

Swami who has the Mutt for nearly 40 years, the consent of a majority of the disciples is necessary.

The recommendation has been made without going into the question of who are all the real disciples and devotees of the Mutt and whether majority of the disciples have agreed to the candidate being appointed to the Gadda. Claim to a Peetha is not always easy. The candidate now proposed is found from the records to be the grandson of the deceased Swami. (Vide the trust deed of 18/11/1929 executed by the deceased Swami.) The selection of a guru to the Mutt has not been given wider publicity by the recommending authorities and the consent of the important disciples has not been obtained. Submitted for orders.

Y.

GS 8/9/35

The above office note explains the case. In a case of this kind when there are disciples upholding the cause of different candidates for the Headship of the Mutt the best course is to obtain the consent of the majority of the disciples at least if not of all of them after giving both parties a hearing or one notice of hearing & make a recommendation to Govt. (Vide

NOTE—Contn. Sheet.

accused —— Mutt — —— Bangalore city

Mirzai File No. 84 of 193 | General and Revenue Secretariat

A | Rules printed on pages 497-498 of the Mirzai Manual). This evidently has not been done by the I.D.O. in this case.

As to what was done on previous occasions in similar cases kind reference is invited to

(1) Mirzai file No 626-21 Sls 30-43 & 45 wherein a Committee consisting of 11 members with the Dy.C. as Chairman was appointed to select a suitable candidate for the headship of the Balehonnur Mutt and

(2) Mirzai file No 265-24 Sls 1-15 re the succession to Sri Avani Mutt. Both are in the Linked file.

10/9/36

Gen: Secy)

C) In view of A above it seems to be desirable to request the D/Collr to have the matter more fully enquired into

I (Mysore)

20.9.36

In what respects? 22/9/36

For 22/9

Hm 24/9

24/9

OFFICE OF THE RESIDENT MEMBER OF LOKAYUKTA
23 SEPT. 2005

Succession — Sri Vaishnavacharya Swami
Bangalore city

General and Revenue Secretariat — File No. 84. — of 1935 — [App. F. III—2

Serial No.

K C

The enquiry made by the S. D.O. Can neither be said to be proper or complete. He has confined his enquiry to examining Thenmalasara Swami & Sridharan Gumbasara Swamy as if the Select was confined to either the former or the Son of the latter. This is not correct. There are no steps to show that the deceased Sridaveerasawami was ever formally recognised by Govt. Such being the case a mere reminder by him can much less be recognised. The S. D.O. had to treat the case as falling under Rule (IV) of the rules for the succession of Gurus to Mathas (published on pages 497 & 498 of the Revised Inamdari Manual) and find have arranged to get a Succession Selected by the Community interested in the affairs of the Math & submit his recommendation This he has failed to do. The M.C. will have to be addressed to enable necessary action

Draft to M.C. Enlarged for approval

1) Dft (May be approved) 11.10.35

Gen: Secy) (Member)

GENERAL SECRETARY
1 OCT. 1935
28.

OFFICE OF THE SECOND MEMBER OF COUNCIL
2 OCT. 1935

NOTE.—Contn. Sheet.

WD 0591—GPB—30,000—18-7 35

4/10
11.10

Mys File No. 84 of 1935-6. General and Sec

(14) orders of the Gen Sec issued in person
= Above from here"

GS
7/10

1 of 8.10.1935

~~To the Mysore Commissioner issuing instructions~~ in the Matter of the Selection of the Candidate from Pecha of the Mulki referred to therein.

Petition of 3.10.1935 filed by Mr. V. Krishna Moorty Advocate on behalf of the Nagappa Sreelaya Language Education Fund Association of Mysore Bangalore and nearly 50 others requesting that an educated religious qualified Candidate may be selected from Pecha of the Mutt and they be given an opportunity to present their case before final orders are passed on the subject.

Petition of 3.10.35 filed by the Same Gentleman requesting that proceedings may be stayed until disposal of the matter referred to in the above petition.

~~Any regarding Petition, Instructions~~
~~Called for representation necessary.~~

Re P.M. DI, Cf above in file.

Serial No.

be forwarded to m.e. in Continuation of this Office Camp No 1 of 8.10.1935.

(b) In the decision of my Review Nos 15 & 16 of 1933-34 in the case of Siddaviraswami's demise that he died on 26.12.1933 was brought to the notice of one in the applicants petn dated 3.1.1934. As the matter is virtual a Matadhipathi Since Dec 1933 & as it is likely that some time more will be taken for appointing a successor to the peeta it is a point for orders whether Return under 25° (2) of the Mysore Religious & Charitable Inst's No Reg VIII of 1927 is necessary in the interests of the Instn. This is also for orders

G.V 21.10.35

This appn is invited to the rules & orders at paras 10 to 13 supra and the letter issued to m.e. on 8/10/35 and (a). Return the present petition (Encl I) may be sent to m.e. in Cont. No Enquiries as reported in Encl II seems necessary at this Stage

21/10/35

Gen: Insp

WD 03591—GPB—60,000—18-7-35

NOTE.—Contn. Sheet.

Mug. File No. 84 of 1935. General and Se

19 Memo of forwarded of P. W. D. I to M.C is both the orders Pet[n] & is submitted for kind signature.

20 Secy. Endt to the Petitioner also Addl for approval & other steps

21) Mr. Mem[m] 29/10

CS 29.10.35

22) Secy E 29/10

Reply to Mysore Commissioner letter No 563 Mug 84-35-5 of 30-10-35 — sent 30.10

Petition of 19. 11. 1935 from Sivashanti Gundurava Shetti praying that the order directing the Subdivisional officer to hold further enquiry be rescinded and that the succession of Sankaraiya Vadeyar be recognised

Petition of 19. 11. 1935 from B. Rudra Setty, Secy Agl Cotton Press No 173. Avenue Rd Bangalore City. and other Lingayat residents praying Sankaraiya Vadeyar may be appointed to the place of late Mahadeshwara Swami.

It is notified of P. W. D Sankaraiya

Serial No.

Vadeer is indicated to be the Swamis of Sri Kanchi Siddha Vadeer mutt. In fact no Swami has yet been appointed to the Peetha -

2nd The petr says in para 1 of the P. & D I that the mutt is a private Vadeyar Mutt. This is not true: it is a mutt. Instn. thrown open to the Members of the Lingayat Community. In the same para the petr says that S. No 5 measures 2 a & 32 guntas: as seen from the Inam Regr. (Mag't) the number measures 3 a & 32 guntas. At the end of the same para he says that this mutt never belongs to any Virakta order - The D.C. in his decision of 24. 3. 1933 in the appeal case when it was on the file of his Court has said as follows: —

T Mag 303-32-(8)

× × × × ×

At the same time I must express disagreement from the opinion recorded by the D.C. that Succession to Virakta Mutts of the kind referred to is regd (Vide Kan

NOTE.—Contn. Sheet.

WD 03594—GPB—30,000—13-7 35

"does not need the approval of Govt.
so long as the Mutt enjoys Govt grant to
collection in the shape of Inams or Cash
recognition of succession by Govt is obligatory"

* * * * * *

It is clear from the above that the
D.C. has held that the Guru is a
hereditary trustee

(2) In para 2 of P.U.D I
the petn says that the premises of
the Mutt with its contents are private
property - This statement is inadmissible
as the Guru has all along been a
mere endowed with dewadays
Inam land for its support.

(3) In para 3 of P.U.D I the
petr says that the deceased Siddaveera
Swamiyalu was admitted by the Mahathmakkalu
for over 30 yrs carrying on the institution
efficiently - As against this, Kind
reference is invited to the following
facts - From the decision of the T.
Mag. to the appeal was before him
- But this particular case
the Sri Shiva of the Mutt being Adult

Serial No.

in dispute between the parties & the respective followers the question whether the deceased
* Viz Sambavier Vadeyar.
whom the opponent (viz the deceased Swami) has proposed for nomination should or should not be usefully gone into.

2) In para 7 of the P.W.D. I, the Govt refers to Govt order Camp no. 1/2 of 8/10/35 wherein he sees for the enquiry has been ordered directing the S.D.O. to adopt the procedure followed when a succession had to be appointed to Sri T alchan Mutt in 1928 & to Sri Avani Mutt in 1926. The above Communication is merely an official Communication addressed to the M.C & where from he manages to get this official information is not known. He has noted the number & date of the letter & also the purport.

P.W.D II is a petition from the disciples of the mutt on behalf of Sambavier a Vadeyar - A

1) This requires to be enquired into

2)

NOTE—Contn Sheet.

WD 03594—GPB—30,000—13 7 35

Received from the other Sch of Languages Dissatisfied. Objected to the Selection of — Sankaranarayana Vadeyar for the Peeta hence forwarded to M.C. vide this Office Memo No 5555 of 30.10.35 dep objd this Second Peeta viz P.U.D II have also be forwarded to M.C.

By order of the Gen Sec on the P.U.D II : —

+ "Yes Pl see — let me see these papers"

Asked vide ~~Lr~~ regd to the forwd same & ~~rec~~ returned

The above note explains the case. The petns & enc may be sent to M.C. for cons of prevents upon ~~the~~ for cons report.

29/11/35

(Gen. Secy) Yes

Above ~~is~~ forwarded to M.C. invite on the P.U.D is for Kind Signature

2/12

Petition Sent to K.C. vide No 755 Dated 3-12-35 for report

7 Pura 8/12

Succession to Shri Kari Siddeswara Mutt (13)
Chickpet, Bangalore City.
576

General and Revenue Secretariat — File No. 84 of 1935. — [App. F. III—2

Serial No.

36) D/R reminder bkd. (37) Succession to the 18/2 18.2.36. matt requires the sanction of H.H. the Maharaja, as the matt. is in enjoyment of inam lands. (Vide G.O. No. 1092 Judl. 303-32-12 dated 31st Janu. 1935).

Z

38) 18.2.36. Nil. Necessary now — But up on 15th March if no reply is received by then. 18/2/36

Reminder 15/3/36 C.I.R.

39) No reply is received — D/R reminder in para 36 is received — Orders to be passed in para 38 Supra —

GJ 17/3/36

Je 18/3

Issued reminder No 1308 dt 18/3/36. to the Mysore Commissioner —

Reminder 18/3/36

Letter No C 172/35-36 dt 29-12-36 from the Mysore Commissioner Submitting records of enquiry relating to the Succession to Sri Kari Siddeswara Mutt at Chickpet Bangalore City and recommending that the nomination of Santha Vira Wadeyar may be recognised for reasons set forth therein.

41) The m.c in para 6 of the P.U dt Sept 8 That the Institution viz Sri Kari Siddes

WD 03594—GPB—30,000—13-7-35

NOTE.—Contn. Sheet.

Misc File No. 84 of 1935.

is endorsed with only a list of Inam land (Vide portion marked A. in Para 6 of the P.A.D). It is submitted that this is not true - The institution has been granted the following Inam lands:—

		Acres	Cents
Gollagere, Bangalore Tk	Dry	3	32
	Wet	0	17
Gunjur — do —	Dry	6	10
Total acreage		10	19

Flag A. PP 182-3 of the Inam Regr. portion for ref.ce

Instructions were issued in this Office letter No 1 of 8/10/25, clearly pointing out the procedure to be adopted by the Deputy Officers for the Selection of a Swamis to the Vacant Peeta of the Mutt. particularly quoting the name of Sri Balakumara Natha, as also a Language Qualn. Instead of appointing a Committee with either the D.C or M.C. as Chairman for the Selection of a Candidate as in the Case of Sri Balakumara Natha (Vide G.O No 45-2-537 Misc 9-25-19 dt 21-10-1925), an enquiry has been recently held by the A.D.C, Sunkoning 12 Disciples on behalf of Channabasaveswami + 13 on behalf of Sankaravira Madeva as

U

* G.

Serial No.

stated ~~that~~ at the outset of para 2 of the P. W. D.

W The D.C. in para 3 of his report of 9.11.36 & the M.C. has opined that there is a split among the devotees of the Insn & both the candidates have a good following among whom are — Men of respectability & Status. one set of devotees Jagadguru Madabba Sastri who are in favour of Channabasavaswamii Contend that the Insn is a Virakta Insn. (Vide enquiry of the S.D.O. Flag C & A)—

Flag C

A.

B. Another Set of devotees Contend that it is an acharya Insn. The present M.C. as D.C. Bangalore also had opined that Succession to Viraktha mutts of the Kind now under reference does not need the approval of Govt. — Mr S. Hirianaiya as M.C. did not differ from him in regard with Insn being a Virakta one but only differs from him in the view that Succession in such case needs the approval of Govt. (Vide M.C's decision in 7

M.

It is respectfully submitted that the present proposal of the M.C. amounts to appointing a candidate belonging to Acharya ~~Parampara~~ side to a Virakta Mutt and this is not permissible under M.C.'s

NOTE.—Contn. Sheet.

WD 03594—GPB—30,000—13-7-35

rule:- And ch is Subd that a Successor to the Mutt has to be appointed only after the Contending-parties establish in a proper Court of Law that the Instn is of a particular order viz in this Case Viraktha or Acharya one

Kind ref^e is invited to para 11 of the pet^n + V
the first signatory to which is the deceased Swamii of the Mutt viz Siddaveera Swamii -
There is a reply by R^n vide no Ef 43-11-7 and the same number is also quoted in the Endt issued to Siddaveera Swamii on 24.1.1914 in the matter of the acq^n. of a portion of the Mutt premises for the Compound of the Girls School: the Endt is no 722/Ef^y 43-11 + X L
Signed by Mr N. Rama Rao Asst Secy to Govt.
Govt. ~~The deceased Swamii has in para 7 of the said pet^n~~ In para 7 of the pet^n the Mutt is said to be Viraktha one & the deceased Swamii ~~being~~ being the first signatory of the pet^n has thereby ch is Subd, acknowledged the Inst^n to be one of Viraktha order.
As matters stand thus, ch is a matter for Consideration whether the appointment of a Candidate belonging to Acharya Community -

Selection of a Candidate for Kari Siddaveera Swami.
Bangalore

General and Revenue Secretariat — File No. — of 193 — [App. F. III—2

Serial No.

J 45

to an institution of a different order is advisible is a matter for consideration.

43 Kind Ref^ce is invited to the lease deeds executed in 1908 and in 1909 by the reps of the late Chandra Sanjeeva Rao of Gollagere. These deeds executed in favour of Channabasavaswami of the mutt in Gollagere have been duly registered in the Sub Registrar Office & they go to show that Channabasa Swami was the Mahadhipathi then. There also his name does not appear in the records.

44 The File Headings of the Registers of the Branch were gone through & no Govt order is since found Appointing the deceased Siddaveera Swami as the Mahadhipathi of the mutt. As his Mahadhipathiship has not received the approval of Govt & as it has not been recognised by Govt as such, whether the Candidate viz the one recommended by the D.C & in whose favour the deceased Siddaveera had willed out is acceptable is a matter for Consideration.

The D.C.

NOTE—Contn. Sheet.

VD 0417—GPB—30,000—5-9-36

Serial No.

in para 6 of the P.W.D) says that it does not seem necessary to come to any definite conclusion whether the Mutt is a Virakta or Acharya Peeta; it is most respectfully submitted that it is very necessary to determine ~~which~~ Kind of mutt it is, as otherwise ~~for~~ nomination of a candidate belonging Acharya ~~Parampara~~ family to a Virakta mutt or nominating a Virakta Sanyasi to an Acharya ~~Parampara~~ mutt would both be undesirable. ~~[illegible]~~

Cr

4b The Muzrai Comr.

~~Therefore~~ suggests that this question should be settled in a court of law; since disputes about succession are not matters to be dealt with by Muzrai officers, submitted for orders.

9.2.37.

4) The Muzrai Commissioner in para 6 of his letter dated 29th December 1936 states that it seems not necessary to come to any definite conclusion whether Sri Karisiddeswara Mutt is a Virakta Mutt or an Acharya Mutt as in either case the approval of Government is necessary in the case of succession to the Mutt. In this case it is submitted that

succession to Sri Hari Siddeswara matt
Chickpet, Bangalore City. (19

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that the M.C. in his order in Muzrai Appeal dated 24th March 1933 has come to the conclusion that the said Mutt is a Virakta Mutt when he states as follows:-

48 At the same time I must express disagreement that succession to Virakta Mutts of the kind now under reference does not need the approval of Government and in Government Order dates 31st January 1935 (Muzrai Review Appeal Nos. 15 and 16 of 33-34) Government observed as follows:-

49) Government agree with the Muzrai Commissioner that succession to Mutts of the kind under consideration requires the previous sanction of Government as the Muzrai Inam land granted by Government. As such the suggestion of the M.C. that it is not necessary to come to any conclusion whether the Mutt is a Virakta or Acharya is to be considered.

50) The Second point for consideration is whether the enquiry held by tne S.D.O. Bangalore Sub Division is in accordance with tne instruction given in this Office letter Muzrai 84-35-2. dated 8th October 1935 about the procedure to be adopted as the regards the enquiry, ~~which~~ and this was directed to be in accordance with the procedure adopted as regards the succession of Balehonnur and Avani Mutts. The S.D.O.Bangalore in his letter dated 1st July 1936 states that he summoned the important disciples of the Mutt belonging to both the parties and held summary enquiry and the result of his enquiry is embodied in his report dated 20th July 1935 recommending that Mari Santhaveeraswami may be appointed Swami of the Mutt, and Mr.Gurubasappa Sastry (the father of Santhaveeraswami) may continue to be his guardian until he

WD 0417--GPB—80,000—8-9-36

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No.

he attains majority and whether the result of the summary enquiry could be accepted is also for consideration.

GENERAL SECRET
10 APR. 1937
(329

2/9/41-

Gen Henry).

1) It seems to be agreed that Chennabasava swamiji was in charge of the mutt before he went to Byadgi. Does the other side dispute this or deny this? Please flag the papers which show that he was in charge.

2) How then appear that this is a Virakta mutt as claimed by one party. Please flag the papers that support or contradict this claim. See the Govt. of 1935 - facts of the case portion.

3) If the mutt was a Virakta mutt can an acharya samyasi take charge of it? Any rule or order re. these matters may be put up.

4) Please do not want the Branch to write another long note, Please flag the papers ~~explaining~~ maybe placed on the file of the mutt in the file references of resubmitted.

Govt
2/4/3)

2/ Initial-

Serial No.

55 With regards to para 51 of the notes supra, reference is invited to the report of the Sheikdar dated 28th May 1908 (para 4), and the mahazar drawn on 30th May 1908. (Flg.D_2). Also to the report of Chennabasavadewaru dated 12th November 1908 stating that he had maintained no accounts of the Karisiddeswara Mutt, when asked by the Amildar to produce them. This shows that Chennabasavadewaru was in charge of the said mutt in 1908, while Gurubasappa Sastry people deny that Chennabasavaswamy was not in charge of the mutt any time. (Statement of Gurusiddappa). The lease bonds executed in 1908, and 1909 duly registered in the Sub-Registrar's Office and the Kandayam receipts from 1901 to 1910 go to show that Chennasavaswamy was in charge of the mutt.

B_2 & M_1 (PP 4-6) N_1

Flag B

J & S B_2

56 Regarding para 52, reference is invited to the order of the Muzrai Commissioner dated 24th March 1933, in which he has agreed with the Deputy Commissioner, Bangalore Dist that the mutt in question is a Virakta Mutt. Also to the petition (para 7) presented by Sree Siddaveeraswamy to the Secretary to Government, Education Department, in which it is stated that it is a Virakta Mutt.

57 Regarding para 53 it is submitted there are no rules or orders, and according to usage an Acharya Sanyasi as proposed by the Muzrai Commissioner cannot be appointed to a Virakta Mutt.

GENERAL SECRETARIAT 5 MAY 1937

NOTE—Contn. Sheet

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2 6/5/37

Gen Henry).

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Reference: minute in paragraph 13. ×page 5

The Murrai Comr's report dt 29/10/36 ×P.C.D

reporting the result of the enquiry ordered is for perusal. The recommendation is that the young man whom the Swami previously in charge appointed as Mani may be confirmed as Swami. The Murrai Comr thinks it unnecessary to decide whether the mutt is a Viraktа one or Acharya one.

2. This view of the case does not seem to consider the position of the disciples of the mutt. Whether an institution is of the Acharya class or Viraktа class is a matter of importance to its disciples. The distinction between them is ~~really~~ real and well recognised and a mutt of the Viraktа persuasion should not be made over to a guru of the Acharya persuasion

3. Chennabasavaswami it would seem, is a Swami of the Viraktа order. This Swami was in charge of the mutt very long ago. He put Siddaveeraswami in his place & went to Byadgi. Siddaveeraswami could not make the institution an Acharya institution. In a petition submitted ×Flags A & V

×Flag III

+A2 B2

Serial No.

to Govt in another connection this same swami said it was a Viraktha institution. The nomination merely of a person who makes the mutt an acharya mutt is therefore clearly invalid.

5) The Munsif Court states that Chenna-basavaswami having gone away from a long stay should be considered to have given up his rights. This may seem hard on the swami but he too has been negligent and the view may be accepted but the person to be appointed swami now should be of the Viraktha persuasion. Naturally also, he will acknowledge the Murgi Mutt and will not affiliate himself to the Balehonnur Mutt.

6) The Munsif Court may therefore be informed that the nomination of Mari Santaviraswami cannot be recognised and that a swami of the Viraktha order may be selected to the mutt — Fr orders may be selected to the mutt — Fr orders

Fm 17/5/37

7) Fst Member 17/5/37 I shall hear the parties before passing final orders

OFFICE OF THE FIRST MEMBER OF REVENUE 17 MAY 1937 No 7647

WD 0417--GPB—30,000-8 9-36

NOTE—Contn Sheet.

File No. 84 of 193 37

Serial No.

64 The Case was Called on Saturday the 11th Sept 1937 - The petitioners both their Counsels were present & heard. The Counter petitioners both their Counsel were also present & heard. Orders are reserved.

1881

11. 9. 1937

I heard the parties at length & they reiterated the arguments advanced earlier. It is clear that there is a split amongst the disciples each side claiming that it has got the majority of disciples on its side Each party vehemently disputes the statement made by the other party The main points that seem not made out are that Chennabasavanna was ailing for a long time, & that Siddaveerappa was in charge for a long time & that he nominated before his death a young man to succeed him

Succession to Sri Kasi Mutt Vadakke Mutt (25-
Bangalore city

neral and Revenue Secretariat — Misc. File No. 84 of 1935. — [App. F. III—2

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(6) After elaborate enquiries, the Dy Com.ᵛ & the Inspr Com.ˢ recommend that this nomination may be accepted. This appears to be the objection by the petr that it is a Vadakke mutt is not borne out clearly & the stated before the division of disciples is fairly equally balanced. The concurrent recom.ⁿ of the Dy Com & Insp Com.ˢ may be approved & the file returned.

(7) The papers have to be submitted

Dewan)

(8) Mr
14-10-37

12/17.1

15/10

2601

OFFICE OF THE FIRST MEMBER OF COUNCIL
OCT 13 1937
No. 2082

NOTE—Contn Sheet.

WD 0417 -GPB—30,000 8 9 36

Serial No.

Petition dt 14.9.1937 from Sri S. Krishnappa Advocate Bangalore city furnishing a Certificate from the Head of the Panchacharya Sanskrit College in Sri Mahant Mutt - Chickpet Bangalore city in respect of the educational qualifications of Shankara Vadeer for Sri Krishnadeva Vadeer Mutt - Bangalore

The institution from the head of which the Certificate is obtained is not a recognised Instn ; the Candidate's knowledge of Kannada & Sanskrit cannot be made out by this certificate : the Certificate furnished goes to show that the Candidate viz Shanka Narayana Vadeer is trained up to recite Rudra Chamaka, & Purusha Sukthas & is also being trained up in Jyothishya.

On the last hearing day before the Joint Member of Council, the pet stated that he would furnish a Certificate about the Educational qualifications of the Candidate ; The connected file is before the Joint Member of Council ; if agreed, this may be asked

Misc 3 Mangalore heard on 11th inst SS

SS 15/9/16-9-37

16.9.37

Please put up with that file

Allowed

NOTE—Contn. Sheet

W D 0417—GPB—30,000—8-9-37.

D. F. N. dated - (vide minute in pencil
page 25 of the note)

CC

19.10.37

GENERAL SECRETA
19 OCT. 1937
2155

Opened by the
FIRST MEMBER [illegible]
27 OCT 1937
No. 2440

Draft Final Note.

Subject -

Succession to Sri Kari-Sidda-Vadeer Mutt Bangalore City.

Sri Kari Sidda Vadeer Mutt, Bangalore City, is a Muzrai Institution endowed with Devadaya Inam lands in the Bangalore Taluk. One Channabasava Swami, who was the Guru of the Mutt left Bangalore for Byadagi in 1909 for study of Yogabhyasa, after appointing one Sidda Veera Swami in his place, and did not return for nearly 20 years.

~~In the meanwhile~~ Siddaveera Swami executed a trust deed on the 18th November 19[illegible] in favour of his brother's son, Siddhanthi Gurubasava Sastri, wherein he nominated the latter's son as his future successor and desired that as the Mari was then six years of age the future affairs of the Mutt might be managed by his father till the Mari attained majority.

At this juncture, the previous Guru returned from Byadagi, and advanced his claims for the headship of the Mutt.

The matter was enquired into by the Sub Division Officer, Bangalore, who conceded the claims of Channabasava Swami, and recommended to the Deputy Commissioner that the Mutt and its properties may be taken possession of and Siddaveera Swami evicted from the premises and that the Mari and the trustee appointed by Siddaveera Swami may not be recognised.

The matter was taken in appeal to the

the Deputy Commissioner and from him to the Muzrai Commissioner and again in May 1933 to Government. A few months later, i-e., in December 1933, it came to the notice of Government that the Guru Siddaveeraswami who was there from 1909, died. Instruction were thereupon issued in No. 994/Muz. 303-32 dated the 18th February 1934 for taking immediate steps for securing the properties of the Mutt, and for recognising the petitioner as the Swami of the Mutt.

Subsequently, a number of disciples sponsored the cause of the Mari nominated by the deceased Swami, and prayed for a review of the above orders. After hearing Counsel on both sides, it was directed that, as the opponent Swami passed away, steps might be taken to recognise some person as the Head of the Mutt and that in doing so, the claims of Channabasava Swami might be considered.

The Muzrai Officers, after hearing the parties again, have reported that there is a split among the devotees, that both the candidates have a good following among whom are men of status and responsibility and that Channabasavaswami having been outside

outside for nearly three decades should be deemed to have renounced his claims to the Headship of the Mutt.

The Muzrai Commissioner, agreeing with them, has recommended approval to the nomination of Santhaveera Vadeer selected by the deceased Siddaveeraswami.

I heard the parties on the 11th Septem 1937. It is clear that there is a split among the disciples, each side claiming that it has got the majority of the disciples on its side. Each party vehemently disputes the statement made by the other party. The main points that seem to have been made out are that Channabasavasami was away for a lon time and that Siddaveeraswami was in charge ~~for a long time~~ during all that period and that he nominated before his death a young man to succeed him.

After elaborate enquiries, the Deputy Commissioner and the Muzrai Commissioner recommend that the nomination made by the deceased Sw[illegible] may be accepted. ~~The objection~~

by the petitioners that it is a 'Viraktha Mutt is not borne out clearly, and as stated before the division of disciples in favour of either side is fairly equally balanced. In these circumstances, I am of opinion that the concurrent recommendation of the Deputy Commissioners and two Muzrai Commissioners may be approved.

The Dewan agrees with me.

I solicit the gracious approval His Highness to the above proposal.

FIRST MEMBER OF COUNCIL.

Submitted to His Highness.

75 Sri Kari Sidda Vadeer Mutt, Bangalore City, is a Muzrai Institution endowed with Davadaya Inam lands in the Bangalore Taluk. One Channabasava Swami, who was the Guru of the Mutt, left Bangalore for Byadagi in 1909 for study of Yogabhyasa, after appointing one Sidda Veera Swami in his place, and did not return for nearly 20 years.

76 Sidda Veera Swami executed a trust deed on the 18th November 1929 in favour of his brother's son, Siddhanthi Gurubasava Sastri, wherein he nominated the latter's son as his future successor and desired that, as the Mari was then six years of age, the future affairs of the Mutt might be managed by his father till the Mari attained majority.

At this juncture, the previous Guru returned from Byadagi, and advanced his claims for the headship of the Mutt.

The matter was enquired into by the Sub Division Officer, Bangalore and then on appeal by the Deputy Commissioner and finally by Government.

Instructions were issued on the 18th January 1934 ordering that immediate steps be taken for securing the properties of the Mutt, and for recognising the petitioner as the Swami of the Mutt.

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§4 After elaborate enquiries, the Deputy Commissioner and the Muzrai Commissioner recommend that the nomination made by the deceased Swami may be accepted. The objection by the petitioners that it is a Viraktha Mutt, is not borne out clearly, and as stated before, the division of disciples in favour of either side is fairly equally balanced. In these circumstances, I am of opinion that the concurrent recommendation of the Deputy Commissioners and two Muzrai Commissioners may be approved.

The Dewan agrees with me.

I solicit the gracious approval of His Highness to the above proposal.

Bangalore,)
1st November 1937.)

First Member of Council
(in charge of current duties of Dewan.)

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Succession to Sri Kari Sidda Vadeer Mutt, Bangalore City.

Ch Sec 4

248

SO.

6/11

Order.

~~KRW~~

5 11 37

MS

6 11 37

C149

Secretariat.

SUBJECT :— Succession to Sri Kari Siddha Vadeer Mutt, Bangalore city.

(*)

31 All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34 In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders

Circulated to Members of Council for perusal of His Highness' orders before/~~after~~ issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

... General ... Department. 18/11/37

FIRST MEMBER OF COUNCIL. (Seen)

3480
7.11.37.

SECOND MEMBER OF COUNCIL. 8/11/37

Gen. Secy. with Compliments

9-11

9/11

NOTE.—Contn. sheet.

WD 1170—GPB—1,000—21-12 36

Succession 67 — Kari Siddavadeera Mutt Bangalore

and Revenue Secretariat — File No. 82 of 193 5-6 — [App. F. III—2

Serial No.

C.S. Office Bgl 15-11-37

Chief Secretary 16/11

C.S. Office 16.11.37 16/11/37

Genl. Secy

99 Please revise Draft as asked.

16/11

GENERAL SECRETARY. 16 NOV. 1937

Draft Submitted 19.11.37

Genl. Secy

102) For approval 1/12/37

GENERAL SECRETARY. 22 NOV. 1937

OFFICE OF THE COUNCIL DEC 2 1937 3226

Hon'ble Member

1/12

7/12

9 G.O. No 850-2 dt 10-12-1937 recognising Shantaveera Vadeer as the Guru of Sri Kari Siddavadeer Mutt, Bangalore vice No 85-38 dt 10/12/37 to Mr. C. Krishna Iyengar Advocate from Mr. M. Nagappa & other

W D 0417—GPB—30,000—8 9 36

File No. 84 of 193

Serial No.

the order referred to above
No 854 dy 10/12/07 to Mrs
Krishnappa Advocate for Shantabai
Vadeer & others forwarding the Govt.
Order sanctioning Thereon.

B
Encl.
10/1

72/35-36
Old Records

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

Dated, Bangalore,....9th August.....1935

12
4·35 1

FROM

N. MADHAVA RAO, ESQ., B.A., B.L.,
Muzrai Commissioner in Mysore.

16 AUG 1935

To

H. V. Ramaswami, Esq., M.A., B.L.,
Secretary to the Government of His Highness
the Maharaja of Mysore,
.....General.....*Department.*

SIR,

Nomination of a successor to Kari Siddeswaraswami Matha in Bangalore City.

With reference to the concluding portion of Government Order passed in Muzrai Review Nos.15 and 16 of 1933-34 re: the above, I have the honor to forward herewith a copy of letter No.C3-3332/33-34 dated 2nd August 1935 from the Deputy Commissioner, Bangalore District, recommending for reasons explained, that the nomination of Mari Santaveeraswami made by Siddaveeraswami (since deceased) as the Swami of the Matha, may be recognised and that he may be trained under the guardianship and control of his father, Gurubasava Sastry.

2. The report submitted by the Sub Division Officer after detailed enquiry and the Deputy Commissioner's letter under reference explain the facts of the case fully. I agree with the views expressed by the Deputy Commissioner, and recommend that the succession of Mari Santaveeraswami may be approved.

3. The entire file of vernacular papers is sent for reference and return.

I have the honor to be,
Sir,
Your most obedient servant,

N Madhava Rao
Muzrai Commissioner.

With reference to your memo No.1476/32-33 dated the 11th February forwarding for further action a copy of the Government Order dated the 31st January 1935 in Muzrai Review Nos.15 and 16 of 1933-34 denying the right of the Murgi Mutt to nominate the Head of the Sri Mari Siddeswara Mutt. Chickpet, Bangalore City, and directing that as Siddeswaraswami is dead, steps may be taken to recognise some person to the headship of the said Mutt, taking into consideration the claims, if any, of Channabasav swami, I have the honor to state that the matter had been referred to t Sub Division Officer, Bangalore Division, for enquiry and report, and t latter's report is herewith forwarded in original. It will be seen the from that there were two candidates before him viz., Channabasavaswami Shantaveeraswami, that Channabasavaswami has laid claim to the office o the ground that he had been made the Swami of the Mutt long ago under the authority of the Murgi Mutt, that while he had been deputed to impro the Atheni Muttabout the year 1902, Siddaveeraswami had been appointed perform the functions of the Mathadhipathi of Mari Siddeswara Mutt as a locum tenens, that as he had now returned he was entitled to be recognised as the Swami of the Mutt. The Sub Division Officer states that there is no record to show that Channabasavaswami was installed as the Swami o Mari Siddeswara Mutt or that he succeeded the previous Swami of the Mut nor to show that the late Siddaveeraswami was appointed to function dur his absence. He is of the opinion that it is absurd on the face of it that he could not come back to the Mutt after many years of absence fro 1902-to 1930, that if he were the real Swami. There was no reason why he should not have come and resided in the Mutt permanently, that he is an aged man of 60 years, and more and that he is emaciated and has no capacity to be the head of the Mutt at this distance of time.

3. As regards the other claimant, Mari Shantaveeraswami, the Sub Division Officer states that he has found that the late Siddaveeraswami had approached the Muzrai Commissioner to approve of the appointment of this young ~~man~~ boy ~~and is satisfied that he is smart and would be quite fit for the Mari~~ although the question of approval had been referred for other reasons, that he has also seen the boy and is satisfied that he is smart and would be quite fit for the Mutt if he is trained well. He is also reported to be learning Sanskrit, Kannada and the Shastras.

4. From the order of Mr. Abdul Hukh, the previous Sub Division and also certain exhibits filed in the case, it would appear that Basavaswami was looking after the Mutt prior to 1902. There is, however nothing on record to establish decisively, the circumstances under which Channabasav-swami was managing the affairs of the Mutt, he left for Athen or under which Siddaveeraswami is alleged to have been appointed to function in the Mutt. In the absence of any other evidence and having regard to the long period of 3 decades during which he was outside, it has only to be assumed that Channabasavaswamy had ~~recommended~~ renounced his claims, if any, on the Mutt, and had practically settled down at the new place. During all this period, Siddaveeraswami had been looking after the Mutt and the only presumption is that he was there al ost as a permanent measure. His desire to adopt Shantaveeraswami as the Wari which had been known to the authorities may therefore be respected, provided the person selected, shows promise and is found to be otherwise eligible for the Peeta.

5. On the question of eligibility, the Sub Division Officer has interviewed the candidate and certified that he is fit and that he is undergoing education etc. In these circumstances, agreeing with the Sub Division Officer, I recommend that that Wari Shantaveeraswami may be recognised as the Swami of the Mutt and trained under the guardianship and control of his father, Mr. Guruhasavasastry.

6. The entire records bearing on the subject, are submitted herewith.

"COPY"

G. Rudrappa

For Muzrai Commissioner.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Camp No. 1 / Muzrai 3 / Encl 10 Files 2 Records

Dated, Mysore, 8/10/ 193.5

Mys 84-35-2

From

H.V. Ramaswami, Esquire, M.A., B.L.,
General Secretary to the Government of His Highness the Maharaja of Mysore.

To

N. Madhava Rau, Esquire, B.A., B.L.,
Muzrai Commissioner in Mysore, Bangalore.

Subject -

Selection of a candidate for the Headship of Sri Karisiddeswara Mutt, Chikpet, Bangalore City.

Sir,

With reference to your letter No. 172/35-36 dated the 9th/12th August 1935 recommending the succession of Mari Santaveeraswami to the Headship of the Mutt referred to above, I am directed to point out that while the concluding portion of the Government Order passed in Muzrai Review No. 15 and 16 of 1933-34 requires that steps have to be taken now to recognise some person to the Headship of the Mutt as it appears from the records that Siddaveeraswami is dead and directs that this may be done and the claims if any ~~Channa~~ of Channabasavaswami may also be considered in this connection, the procedure adopted by the Sub Division Officer, Bangalore Sub Division in confining his enquiry to Channabasavaswami and Siddhanti Gurubasav Sastri, father of the Mari, recommended by you cannot by any means be considered to be a proper one. The case in question is one in which the succession has to be governed by the rules for succession of Gurus to Mutts published on pages 497 and 498 of the revised Muzrai Manual. As there are two contending parties in this case the proper procedure to be adopted in holding ~~the~~ an enquiry would be for the officer holding such enquiry to summon the important disciples of the Mutt belonging to both the parties and ask them to select a proper successor to the Headship of the Mutt.

connec n, am v e your

to the procedure that was adopted (1) when a successor had to appointed to Sri Balamurur Mutt in October 1925 and (2) when a successor had to be appointed to Sri Avani Mutt during the year 1926.

In these circumstances, I am to request that if you also agree the matter may be arranged to be more fully and properly enquired into and further proposals submitted in the matter.

I have the honor to be,
S i r ,
Your most obedient servant,

General Secretary to Government.

Section Mug

File No.

Serial No.

Diary No. of letter replied to ..... No 1/mug 3 / Confl Records -

To

The M C.

General and Revenue Secretariat

(|)

the *193* .

Date of issue 8/10/1935

Signed by M.Y. H.C.R.

Subject. — Selection of a candidate for the Headship of Sri Kaivadeeswara Mutt — Chikpet. Bangalore City.

With reference to your letter No 172/35-36 dt 9/12.8.1935 recommending the Succession of Mari Sanjeevaraya Swamiji to the Headship of the Mutt referred to above I am directed to point out that while the Concluding portion of the Govt order passed in Mug Revn Nos 15 to 16 of 1933-34 dated 1st Sept. have the effect of recognising some [illegible]

List of enclosures .....

Copied by .....

Examined by .....

Mahantesha Swami is dead & directs that this may be done & the claims of any of Channabasava Swamis may also be considered in this connection, the procedure adopted by the S. D. O Bangalore Sub div in Confirming his enquiry to Channabasaveswami & Sookanthi Gurubasava Sastri, father of the mare recommended by you cannot by any means be considered to be a proper one.

The case in question is one in which the succession has to be governed by the Rules for Succession of Gurus & Mutts published on pp 497 and 498 of the revised Mys. Manual - As there are two conflicting parties in this case the proper procedure to be adopted in holding an enquiry would be for the officer holding such enquiry to summon the important office bearers of the Mutt

F. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form*)

belonging to both the parties & ask them to select a proper Successor to the Headship of the Mutt. In this connection I am to invite your kind attn to the procedure that was adopted (1) when a Successor had to be appointed to Sri Balahonnur mutt in ~~[illegible]~~ Oct 1925 & (2) when a Successor had to be appointed to Sri Avani mutt during the year 1926.

In these circumstances I am to request that if you also agree the matter may be arranged to be more fully & properly enquired into & the results reported to Govt at the early date

I have

the honour

to be

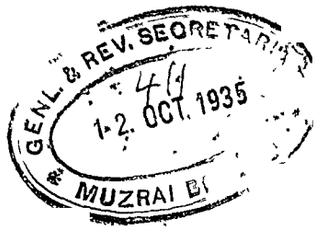
Sir

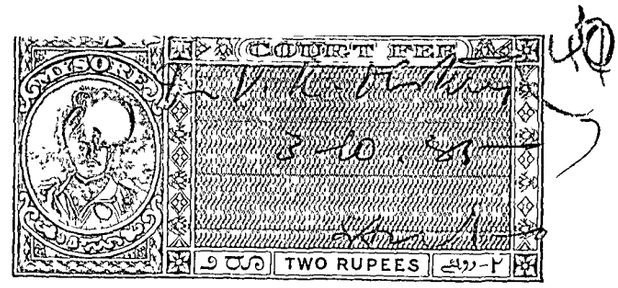
Your most obedient servant

1/10/26

(17 papers)

WD 0186—GPR—15 000—6 9 34





Mug 84-35-3

Before the Government of Highness the Maharaja of Mysore, Bangalore.

Petition 24 of 1935-36.

Presented by Sri Sundaram, clerk to the Advocate

Petitioners:-

1. M. Nagappa, Contractor
2. G. Rudrappa,
3. N. Basavappa,
4. Banavarada Kutchavva,
5. K. Sivappa,

and other signatories of this petition are members of the Veerasaiva Community in Bangalore, and are Bhaktas of Sri Kari Siddeswara Mutt, Chikpet, Bangalore City.

Under Section 39 and 36 of Regulation 7 of 1927:--

The petitioners, abovenamed, humbly beg to submit as follows:-

I. Sri Kari Siddeswara Mutt, Chikpet Bangalore City, is a Veerasaiva Religious Institution of the Virakta Order, and it has considerable properties appurtenant to it. The religious head of the Institution originally was the late Sri Sidda Rama Swami. After his demise, Sri Channa Basava Swami was the head of the Institution and was in management, The Mutt was, in so far as religious matters were concerned under the direction and supervision of the Sri [illegible] Mutt, the Supreme Head of the Virakta Order.

2. In 1909, the Murugha [illegible] directed

the incumbent to proceed to Annana Byadagi Institution; in the meanwhile, one Sri Sidda Veera Swami to be in temporary charge of the Institution in question.

3. The temporary incumbent, Sidda Veera Swami, died about 2 years back. Sri Channa Basava Swami, the permanent head came back and went to resume charge of the Institution but he was opposed by one Siddhanti Gurubasava Sastri, the brother's son of Sri Sidda Veera Swami, who claimed possession and management of the Institution on behalf of his minor son, Santaveerayya, who, it was alleged, was the Mari duly appointed by Sri Sidda Veera Swami. His claim therefore involved the following questions:-

(a) Whether Sidda Veera Swami had any right to the Office in himself,

(b) Whether the right of nominating a Successor vested in Sri Sidda Veera Swami.

4. The prayer of the Bhaktas of the Institution was that Sri Channa Basava Swami was the acknowledged, as well as the most competent religious preceptor who was best fitted to occupy the responsible position.

5. In this state of affairs, the Government passed orders in No. 994/Muz.303-32-6, dated 18-I-1934, declaring that steps be taken to secure the properties of the Mutt to Sri Channa Basava Swami. On Review petitions, viz, 15 and 16 of 1933-34, being presented to the Government on behalf of Santaveerayya, the Government directed that steps should be taken to recognise some person to the headship of the Mutt and also to consider the claims of Sri Channa Basava Swami

in this connection.

6. On the matter reaching the Sub Division Officer, Bangalore Division, he was of opinion that these petitioners - the Bhatkas - had no voice in the matter of selection of a candidate or the consideration of the claims of Sri Channa Basava Swami and he did not allow them to participate in the inquiry. That inquiry was confined to the reception of additional documents tendered by Channa Basava Swami, his examination, and the examination of Siddhanti Guru Basava Sastri, though the Government Order had expressly deleted the mention of Siddhanti Guru Basava Sastri, or inquiring into his claim, by the Officer himself, neither person being allowed to question the adversary.

7. It was also expressed by the Sub Division Officer, that he would send up his recommendation to the Muzrai Officer for Orders. These petitioners learn that the matte has been submitted to the Office and the Government for Orders. These petitioners presented a petition dated I4-9-I935, to the Muzrai Commissioner in Mysore, in this matter representing their case and prayed that an opportunity may be given to them to place their case before Orders were passed on the Report of the Sub-Division Officer. But, the Muzrai Commissioner has issued the accompanying endorsement, dated 25-9-I935, to the petitioners stating the matter is before Government and there is no object in his hearing the petitioners. Hence this petition. In the meanwhile, currency is given by the

rumour, that his son's claims have been recognised, and that Sri Channa Basava Swami's claims have been refuted. He is further making applications to the Municipality to build on these averments.

8. The petitioners are very much perturbed. They as important members of the community, are most aggrieved and pained at the course of events which has deprived them of the benefits of the religious experience and direction of Sri Channa Basava Swami, who is about 40 years old and well-learned in Religious teaching and Philosophy and whose vision is enlarged by wide travel and varied experience of the management of Religious Institutions. As a contrast to this rival claimant, Santaveerayya, is a minor boy, about 10 or 11 years of age, whose capacity for Religious Instruction verges on nothing. The petitioners submit that the attempts made on his behalf to appoint him as the head are dictated by motives of personal advantage on the part of his guardian and father.

9. Furthermore, the stamped lease-deeds, the Government Maharars, the Muncipal Records, produced before the Sub-Division Officer, unimpeachably establish the facts that Sri Sidda Rama Swami, the immediate preceptor of Sri Channa Basava Swami, was the Original Head and that he nominated Sri Channa Basava Swami as his successor, and that this did come to pass in actuality.

10. That these facts are the proved state of affairs is accepted by the Government Order passed on the Review Petitions aforementioned. The point chiefly left open

was the fitness of the claimants from the point of view of their respective qualifications. That qualification is certified in favour of Sri Channa Basava Swami by many responsible religious bodies including the Murgha Mutt and that would be very important consideration even if it be regarded as a matter of selection.

II. The Sub Division Officer in Bangalore originally made an exhaustive inquiry into the matter and examined several witnesses on either side in Case Mis. 13 of 1929-30, and submitted a Report which reached the Government. By that report, he held that the fitness and educational qualifications of Sri Channa Basava Swami to the headship of the Mutt were of a very superior Order and judged from this point of view nothing has happened since to whittle down the effect of this finding. Apart from the fact that there is no legal claim in Santaveerayya to the headship of the Mutt, the paramount considerations, viz, Religious knowledge and fitness, and Practical Ability to Manage a Religious Institution must perforce be negatived in his case, and if those belonging to the Community for whose benefit the Institution exists are not willing to accord allegience to him, it is submitted that the case for his selection lacks both a legal basis and a basis in fact.

12. Much is sought to be made of the fact that Channa Basava Swami was at Byadagi. The Byadagi Institution has only a Student's Hostel and a School. It is not a Mutt in the

strict sense nor has it any religious Head as such, nor was Channa Basava Swami appointed as a religious Head of Mutt there. Further, it as a Khasagi Institution under a Committee of Lanagement ~~and~~ ahd the correspondence produced before the Sub Division Officer, Bangalore, clearly shows the true scope, temporary character and severance of his connection with Byadagi. To make this a point for declining to permit Channa Basava Swami to take charge of the Mutt here, is, in the circumstances, opposed to law and equity.

13. It is therefore humbly submitted by these petitioners, that Sri Channa Basava Swami be selected as the head of the Mutt in question. If despite Sri Channa Basava Swami's qualifications, another selection is deemed necessary, the petitioners respectfully submit that an educated, religiously qualified candidate may be selected and the petitioners pray that they be afforded an opportunity to present their case before final orders are passed by Government, and that final orders may be kept in abeyance until they are heard.

Bangalore City,
Dated, 3-10-1935.

A R Ramma Siddappa mandy merchant

Basappa

C 172/35-36

1 OCT

4594

563 Mug 84-35-5

Memo No ~~563/84-35~~

~~forwarded with compliments~~

~~to the Mysore Commissioner~~

in Continuation of this

office letter ~~No~~ Camp. No

// Mug dy 8. 10. 35.

By order

29/10/35.

for General Secretary

to Govt.

GS

C 172/35-36

2-11-35 Memo

Forwarded with compliments

to the Deputy Commissioner Bangalore Dt

in continuation of this office memo

No. C 172/35-36 dated 14-10-1935

for Mysore Commissioner

2/11/35

Office of the Muzrai Commissioner in Mysore.

C 172/35-36

Dated Bangalore 25 - 9 - 1935.

Endorsement *granted to* Mr. M. Nagappa, Contractor, and others, through V. Krishnamurti, Esq., B.A., B.L., Advocate, 134, Chickpet, Bangalore City.

Petition Register No. C. 172/35-36

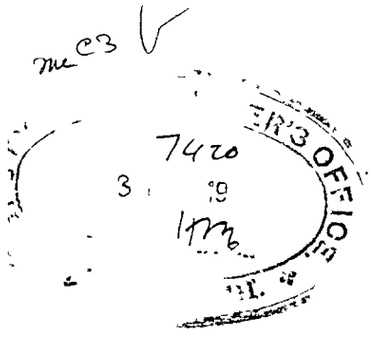
Dated 14-9-1935

Subject :—

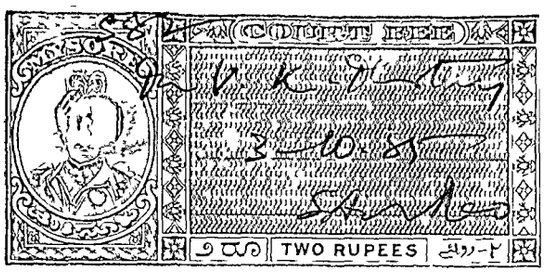
Re: the selection of a successor to Kari Siddeswaraswami Mutt, Chickpet, Bangalore City

in reply to their *Petition Register No. as per margin.*

The Petitioners are *informed that* the matter is before Government and there is no objection in the undersigned giving them a hearing at this stage.



For *Muzrai Commissioner.*



Before the Government of His Highness
the Maharaja of Mysore

In the Court of the ---------- Bangalore.

Suit No. **of 193 ,-193**

Plaintiff/Appellant. *Defendant/Respondent.*

Petitioner/Complainant. *Counter Petitioner/Accused.*

M Nagappa & others

Vs.

~~I~~ We, the Appellants-petitioners ~~Krishna Murthi Advocate~~ do hereby appoint and retain Mr V. Krishna Murthi Advocate to appear for me in the above ~~suit / Original /~~Miscellaneous petition and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application for Execution of any decree or order passed therein. I empower my Advocate to appear in all miscellaneous proceedings in the above suit or matter till all decrees or orders are fully satisfied or adjusted and to obtain the return of documents and draw any money that might be payable to me in the said suit or matter.

Accepted.

V. Krishna Murthi

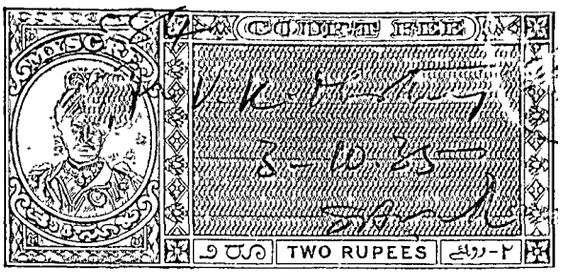
ADVOCATE, 134. Chikpet
Bangalore City

Dated 3 10 1935.

Personally known to me and signed in my Presence.

V. Krishna Murthi

Apply to H. N. Suryanarayana Rao, clerk, c/o. Mr. S. Varadiengar, Advocate, B.-City.



Before the Government of His Highness the

Maharaja of Mysore, Bangalore.

Petition of 1935-36. May 84-35-4

Petitioners C. M. Nagappa & others.

Presented by Sundaram the clerk of the Advocate 3/10

Muzrai

1. They have this day presented a petition regarding the recognition of the Matadhipathi ri Kari Siddeswara Mutt, Chikpet, Bangalore City.

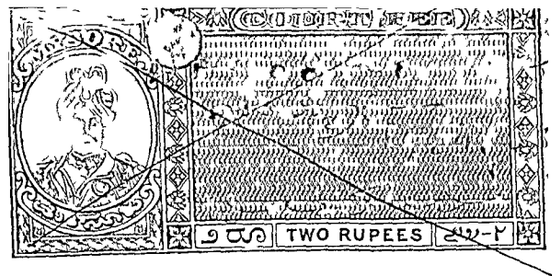
2. They have set forth in detail the grounds regarding the selection or recognition of a proper candidate.

3. Having regard to the great importance of the question involved, it is respectfully prayed that proceedings may be stayed until disposal of the matters referred to in the petition.

I34, Chikpet,
Bangalore City,
3rd October, I935.

V. Krishnaiah

Advocate for Petitioners.



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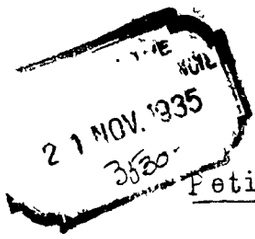
1/5-

BEFORE THE GOVERNMENT OF H.H. THE MAHARAJA OF MYSORE,

BANGALORE. Mog 84 35-6



Muz. Rev. No. 35-36.

Petitioner:-- Sri Santhavira Wadiar, Swamigalu of Sri Karisiddawadiar Matha, (Karakanjatharu of Siddaveera - Wadiar), Chickpet, Bangalore City, minor by guardian Sidhanti Guru-basava Sastri.

Gl See with Compliments

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The petitioner begs to state as follows:--

Spl - 21/11/35 Mur Please let me see these papers Mur 21/11 21/11

1. The Karisiddawadiar Matha mentioned above is a private wadiar Matha always presided over by an - Acharya Guru. Three small bits of land have been - endowed by Government, viz., (a) S.No. 5 dry 2 acres, 32 guntas and S.No. 37 wet 0-17 guntas at Gottigere village, Bangalore Taluk (b) S. No. 294 dry 6 acres at Gunjur, Bangalore Taluk. The gross annual income of these inam lands is about Rs. 40-0-0 out of which - Rs. 6-0-0 have to be paid by way of Government Revenue, thus yeilding a net annual income of Rs. 34-0-0. This mutt never belongs to any Virakta order.

2. There is no cash grant or any other Mariadas or Birudus granted or enjoyed under the authority from the Sovereign. The premises of the Matha with its - contents are private property and the site on which the Matha is built is not a State Grant nor has any

constitution

constitution for its construction been made by Government.

3. The demised Sri Siddaveraswamigalu was admittedly the Mathadipathi for over thirty years carrying on the institution efficiently. When he was ill and apprehended death in November 1929, he assembled - Virasaiva Desadapete Settis, Rejamans and Sishyas - according to custom and in their presence, appointed the minor petitioner as his successor. Further, for carrying on the business of the institution after his death and during the minority of the petitioner, said Sri Siddaviraswamigalu appointed as guardian and trustee Sidhanti Gurubasavasastri who is fit and willing, the Jagadguru Sri Balehonnur Matha having conferred on him the title of Jyothishyalankara. These appointments of succession and guardianship are evidenced by - registered deeds which along with other records have been filed before the Sub-Division Officer.

4. Sri Siddaviraswamigalu also complied with the rules by reporting to the Muzrai Commissioner in Mysore, Bangalore, so far back as on 11-1-1930 that he had - appointed the petitioner as his successor and that he had also appointed Siddanti Gurubasavasastri as guardian and trustee and by seeking approval of Government to the selection of his successor. Thereafter, one - Sri Chennabasavaswami supported and instigated by some of the Lingaits and financed by Sri Murgi Matha, put forward false and frivelous objections claiming that the Matha in question, was subordinate to Sri Murgi - Matha and that Sri Siddaviraswamigalu was his Locum Tenants.

Locum tenants. Having been thus backed up, he raised a hue and cry resulting in an enquiry. The then - learned Deputy Commissioner, Mr. K.V. Anantharaman - after hearing both the parties opined that Government could not interfere in the disputes between the two Swamis and directed the objector Sri Chennabasavaswami to establish his alleged rights, if any, to the headship of the petitioner's Matha in a competent civil court.

5. The learned Muzrai Commissioner Mr. S. Hiranniya agreeing with the learned Deputy Commissioner, passed orders in his Order Muz. No. 191/32-33 dated 24-3-1933 rejecting the objections. Sri Siddaviraswamigalu - gave ashram to the petitioner in the presence of - Desadapet Settis, Yejamans and other Virasaiva Sishyas in the month of Kartika about 2 months before his - death which occurred on or about 26-12-1933. Said - Sri Chennabasavaswami who appears to have preferred an appeal to Government against the said order of the Muzrai Commissioner, making as respondents both Sri - Siddaviraswamigalu and the petitioner, took advantage of the latter's demise, and misrepresented facts to Government and managed to obtain ex-parte orders dated 18-1-1934 directing the eviction of the petitioner and his recognition to the headship of the Matha after - ascertaining from the authorities of the Murgi Matha.

6. Thereupon both the petitioner and the Desadapete Settis, Yejamans and Veerasaiva Sishyas of the Matha brought to notice the misrepresentations made to - Government who in their Order Nos. Rev. 15-16 dated

1-1-35 were pleased to reconsider their previous - orders. The findings of the Government are that after careful examination of the circumstances, - Government agree that there is force in the petitioner's contention (a) that as regards the claim of Sri Chennabasavaswami for being put in possession of the Matha nowhere previously has his right been acknowledged by Government: (b) that the alleged right of Sri Murgi Matha to nominate the head of this Matha does not exist at all and (c) that Sri Chennabasavaswami has therefore no right to be the head of the Mutt.

7. Thereupon the Sub-Division Officer, Bangalore was ordered to submit his recommendations. Accordingly Mr. A. Basavaraje Urs, the Sub-Division Officer, examined the parties and Mr. K.N. Srinivasan, Advocate, for Sri Chennabasavaswami objected to any cross examination of his client who was first examined, representing to the court that there was no need to cross-examine parties as an elaborate and protracted enquiry had been previously held. The court and the - petitioner's advocate agreed to this and the learned Sub-Division Officer appears to have thereafter - submitted his report recommending approval of the petitioner's succession. Both the Deputy Commissioner and the Huzrai Commissioner also have supported the same. The Lingait supporters of Sri Chennabasavaswami who felt thus disappointed chose to petition the Government making false and reckless misrepresentations and reiterating their claimsw which have been set at rest in the G.O. of 1-1-1935. Probably as the result of these misrepresentations, Government in their orders

Camp

Camp No. 1, Muz. dated 8-10-1935 Mysore, have ordered further enquiry directing the Sub-Division Officer to adopt the procedure followed when a successor had to be appointed to Sri Balehonnur Mutt in 1925 and to Sri Avani Mut in 1926.

8. With due respect the petitioner humbly submits that these directions now conveyed to the Sub-Division Officer are opposed to the rules published at pages 497-498 of Muzrai Mannual (1934 Edtn.). The demised Sri Siddaviraswamigalu had been appointed by his predecessor and admittedly he assumed Headship of the Matha in question, heassumed Headship of the Matha, more than 30 years ago. The Governrent also recognised him by allowing him to be in possession and enjoyment of the Inam lands during these 30 years till his death in December 1933. When he became the Swami of the Matha, the Muzrai Regulation of 1913 was not in force and the rules were not well known and followed. It is a finding of fact by the learned Muzrai Commissioner in his above-mentioned Order No. 191/32-33 dated 24-3-33 that there is no mismanagement calling for action under S. 36 of the Regulation VII of 1927.

9. In the presence of the Virasaiva Desadapete Settis, Rejamans and Sishyas of the Matha in question, the demised Siddaveraswamigalu has selected the petitioner as his successor and reported the same to Goverment for approval. He has also before his death given Ashram to the petitioner. It is now irrevocable according to custom and Sastras. In this connection the petitioner begs leave to submit the

thes following:--

(a) His Highness Chikkadevaraja Wodiar has appointed the Desadapete Settis and Yejamans as leaders of the Verasaiva community in the Bangalore City. These leaders even now enjoy Kodagi Inams granted by Government They have consented to the petitioner's selection. The objectors who constitute the other contending party have nothing to do with the petitioner's Matha in question:- (1) Mr. M. Nagappa has his House Guru Matha at Halsur, C & M Station, Bangalore, (2) Mr. K. Sivappa has his House GuruMMatha at Godikere in the Chikkanayakanahalli Taluk, (3) Mr. N. Basettappa has his own Matha at Akkipet, Bangalore City to which he has managed to secure his own son as Guru, (4) Mr. G. Rudrappa of Gollahalli, Bangalore Taluk, belongs to the same Guru Matha as at Halsur, and (5) Mr. Banavarada Huchappa has his house Guru at Gulur Matha in the Tumkur Taluk. He and his brother Sivanna have applied for insolvency. All these are supporters of Sri Murgi Matha.

(b) There are only five Gurus for all the Verasaivas in the whole of India and there are:--

1. Balehonnur Sri Jagadguru Renukacharya,
2. Sri Ujjayani Jagadguru Dharakacharya in the Bellari District,
3. Sri Jagadguru Panditharadya at Sri Saila in the Nandyal Taluk,
4. Sri Viswaradhya in the Benares City and
5. Sri Ekoramaradhya at Himatkedara, Gadwal District (Nepal State).

They have five different Acharya Sutras and five Gotra-

Gotra-purushas viz., Vireswara Gotra, Nandikeswara-gotra, Bhringeswaragotra, Skandakeswaragotra and Vrishabheswaragotra. The Virasaivas are only those who have the one or the other of these five Gotras. The Sri Murgi Matha has none of these Gotras, the presiding Swami being always a Sanyasi who has embraced that Ashram for his own ~~sk~~ salvation and not for the spiritual welfare of the Verasaivas. He has no Gotras or Sutras nor is he an Acharya - competent to give Siva Diksha and Sivapanchakshari Mantropadesa which every true Virasaiva man and woman should be given. It is only Acharya Mathas presided over by Wadiars, Acharyas, Aradhyas and Jangamas that can give the above mentioned Siva - Diksha and Upadesa. The Sishyas of this Mutt are only such Virasaivas who adopt that particular Gotra and Sutra as is followed by this Mutt.

(c) Thus the demised Sri Siddaveraswamigalu could select as his successor one of the same Gotra and Sutra and not one like Sri Chennabasavaswami a Sanyasi who has taken Ashram from Sri Murgi Matha.

(d) Regarding the age of the petitioner, he - submits that the present Swamigalu of the Sri - Sringeri Jagadguru Matha was equally young at the time of his ~~sk~~ selection, while Sri Chennabasava-swami is about 55 years old and the statement that he is 40 years now, is a mischievous falsehood.

(e) Further, the circumstances leading to the selection of a successor to Sri Balehonnur Matha are totally different and was according to rules. In that case the demised Jagadguru had not fixed upon

upon a successor as required by Rule 3 of the Rules for Succession of Gurus printed at page 497 of the Muzrai Mannual. Further, it is big Jagadguru - Peetah with enormous State grants in lands and in money with various Mariades and Birudus granted and enjoyed under the authority from the Sovereign. In fact, it is one of the five Virasaiva Jagadguru Mathas in India. Even in that case the Sri Murgi Matha put up its own candidate who was an M.A., and who did not know Sanskrit.

(f) But in the present case, the Matha is a minor one and the present Sri Swamigalu of Sri - Jagadguru Balehonnur Matha has bestowed his benedictions to the succession of the petitioner and has favoured his father-guardian with the title of - Jyothishalankara. Even now the opinion of all the five Virasaiva Jagadguru Mathas like Sri Balehonnur Matha mentioned above may be obtained for the fitness, in every sense of the word, of the petitioner to the Matha in question. Even the Agent of the Sri - Murgi Matha, Mr. Lingappa examined as P.W. 3 in the previous enquiry states on oath that "There is no other disqualification to the present Mari (i.e. - the petitioner) except that he has been appointed - without the permission of the Murgi Matha". This certificate of fitness has been confirmed by Sri - Chennabasavaswami also.

10. The trouble, worry and expense of this unhealthy litigation have been enormous and the benign Government have not passed orders recognising or not recognising his succession. Since the petitioner

petitioner has been given Ashram by the derised Swamigalu whose funerals, according to custom and Sastras, he has performed, there is now no question of revoking his succession and selecting another - successor to the Matha in question.

WHEREFORE, the petitioner most humbly prays that the Order directing the Sub-Division Officer to hold further enquiry, be rescinded and that his - succession be recognised.

He further prays that as the proposed selection now ordered is contrary to spiritual law, the same may be stayed and that as his having been given - Ashram cannot be revoked according to Shastras and customs and as there are already sufficient materials on record and therefore his recognition be kindly - approved finally.

Bangalore City,
19-11-1935.

Petitioner.

Memo No 7858/Rev Dated 3-12-35
84-35-7
Forwarded with Compliments to the
Revenue Commissioner
of this office memo no 563/Rev dated 10.12.35
together with a petition of the same date
from Messrs V. N. Basavarajaiah & Brothers
Advocates of the Mutt for favour of
By order
3/12/35

Memo C 172/35-36 Encls
Dt 10/12/35

Forwarded with the two encls to the Dy. Commr. Bangalore Dt, with Compliments in Connection of this office memo CNo. 172 35-36 Dt 14th Oct: 1935 for early report

DEPUTY COMMISSIONER'S OFFICE 9348 12 DEC 19 Pc... 6/12

For Muzrai Commr

8639 17/12

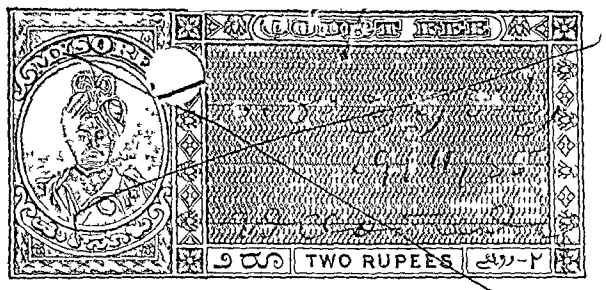
C 2332/3334 Memo

Forwarded with the enclosures to the Sub Division Officer, Bangalore Sub Dn in continuation of this office memo of even no dt 14.10.35.

The report called for should be submitted early

Pl. 3060 12 Bz

For Depy. Commr. Bangalore Dist. A. C 14/12



ಮೈಸೂರು ಸೀಮೆಯ ಮಹಾರ್ಚಾನ್ ಶ್ರೀ ಮನ್ಮಹಾರಾಜ ಬಾ
ದ್ದೂರ್ ಶರವರ ಪ್ರನವುಳ್ಳ ಸರ್ಕಾರಕ್ಕೆ.

ಮೆಮ್ಮ ಅರ್ಜಿ ನಂ 24 ಸ 1935-36

ಬೆಂಗಳೂರು ಸಿಟಿ ಚಿಕ್ಕಪೇಟೆ ದಿವಾನ್‌ಖಾನಗಲ್ಲಿ ಶ್ರೀ ಕರಿಸಿದ್ದ ವಡೆಯರ ಮಠದ ಭಕ್ತಾದಿಗಳಾದ ವೀರಶೈವ ಜನಗಳು ಬರೆದುಕ್ಕೊಂಡ ಅಹವಾಲ್ ಅರ್ಜಿ ಏನಂದರೆ:—

ಶ್ರೀ ಕರಿಸಿದ್ದವಡೆಯರ ಮರಕ್ಕೆ ಗುರುಗಳ ವಿಚಾರದಲ್ಲಿ ವಾರಂವಾರ್ಯವಾಗಿ ನಡೆದುಬಂದ ಅಂದರೆ ಮೂಲಗುರುಗಳು ಶ್ರೀ ಕರಿಸಿದ್ದ ವಡೆಯರು ನಂತರ ಗುರುಸಿದ್ದವಡೆಯರು ನಂತರ ಶಾಂತವೀರವಡೆಯರು ನಂತರ ಕರಿಸಿದ್ದವಡೆಯರು ನಂತರ ಶಿವಲಿಂಗವಡೆಯರು ನಂತರ ಸಿದ್ವೀರವಡೆಯರು ನಂತರ ಹಾಲಿಇರುವ ಶಾಂತವೀರವಡೆಯರು—

ಈ ರೀತಿಯಾಗಿ ಈ ಮೇರೆ ವಧ್ಧತಿಯು, ಮರವ ಅಧಿಕಾರಿಗಳಾದ ಸ್ವಾಮಿಗಳವರು ಜೀವಂತರಾಗಿರುವಾಗಲೆ ಉತ್ತರಾಧಿಕಾರಿಗಳನ್ನು ಸೊತ್ತುಮಾಡುವ ವದ್ಧತಿಯು ಸಾಂಪ್ರದಾಯದ ಪ್ರಕಾರ, ಅನೂಚೀನವಾಗಿ ಒಂದಿರುವದರಿಂದ ಈ ಮರದ ಅಧಿಕಾರಿಗನಾಗಿದ್ದ ಶ್ರೀ ಸಿದ್ದವೀರಸ್ವಾಮಿಗಳವರು ತಾವು ಜೀವಂತರಾಗಿರುವಾಗಲೇ ಅಂದರೆ, ಇವರು ಶಿವಾಧೀನ ವಾಗುವದಕ್ಕೆ ಮೂರುವರುಷ ಮುಂಚಿತವಾಗಿಯೇ ನಮ್ಮಗಳನ್ನೆಲ್ಲಾ ಬರಮಾಡಿಕ್ಕೊಂಡು ನಮ್ಮಗಳ ಅನುಮತಿಯ ಮೇರೆ ತಮ್ಮ ಪೂರ್ವಾಶ್ರಮದವರಲ್ಲಯೇ ವೇದಮೂರ್ತಿ ಬ್ರಹ್ಮಶ್ರೀ ಜ್ಯೋತಿಷಾಲಂಕಾರ ಸಿದ್ಧಾಂತಿ ಗುರುಬನವ ಶಾಸ್ತ್ರಿಗಳವರ ಸುಪುತ್ರರು ಶಾಂತವೀರ ವಡೆಯರಂಬ ವಟುವನ್ನು ಶ್ರೀ ಕರಿಸಿದ್ದ ವಡೆಯರ ಮಠದ ಉತ್ತರಾಧಿಕಾರಿಗಳನ್ನಾಗಿ ಸೊತ್ತುಮಾಡಿ ಈ ಶಾಂತವೀರವಡೆಯರಿಗ ಆಶ್ರಮವನ್ನು ಮಂತ್ರೋಪದೇಶವನ್ನು ಸಹ ಮಾಡಿ ಈ ವಟು ಮೈನರ್ ಆಗಿರುವ ಪ್ರಯುಕ್ತ ಇವರ ವಿದ್ಯಾಭ್ಯಾಸಕ್ಕೂ ಪೋಷಣೆಗೂ ಮರವ ಅಭಿವೃದ್ಧಿಕಾರ್ಯಗಳಿಗೂ ಸಹ ವೇ॥ ಸಿದ್ಧಾಂತಿ ಗುರುಬನವ ಶಾಸ್ತ್ರಿಗಳವರನ್ನೇ ಟ್ರಸ್ಟಿಯನ್ನಾಗಿ ನೇಮಿಸಿ ಟ್ರಸ್ಟ್ಪಡೀಡು ಸಹ ಬರದು ತಾ॥ 4—1—1930ನಲ್ಲಿ ರಿಜಸ್ಟರ್ ಸಹ ಮಾಡಿಸಿರುತ್ತಾರೆ. ಆಲಾಗಾಯ್ತು ಶ್ರೀ ಶಾಂತವೀರವಡೆಯರನ್ನೇ ಈ ಮರದ ಗುರುಗಳಾಗಿ ಆಚರಿಸಿಕೊಂಡು ಬರುತ್ತಾ ಇದ್ದೇನೆ. ಶ್ರೀ ಸಿದ್ಧವೀರ ಸ್ವಾಮಿಗಳವರು ತಾ॥ 26—12—1933ರಲ್ಲಿ ಶಿವೈಕ್ಯರಾಗಿರುತ್ತಾರೆ ಇವರ ಉತ್ತರ ಕ್ರಿಯೆಗಳನ್ನು ಉತ್ತರಾಧಿಕಾರಿ ಗಳಾದ ಶ್ರೀ ಶಾಂತವೀರವಡೆಯರವರಿಂದಲೇ ಮಾಡಿಸಿರುತ್ತೇವೆ ಮತ್ತು ಮರದಲ್ಲಿರುವ ಗದ್ದಿಗೆ ಪೂಜ ನಿತ್ಯದಾನೋಪ ವಗೈರೆ ನಿತ್ಯಕರ್ಮಗಳೆಲ್ಲಾ ಸಾಂಗವಾಗಿ ನಡೆಸುತ್ತಾ ಬರುತ್ತಾರೆ. ಅದಪ್ರಯುಕ್ತ ಘನವುಳ್ಳ ಸರ್ಕಾರದವರು ನಾವು ಗುರುಗಳನ್ನಾಗಿ ಮಾಡಿಕೊಂಡಿರುವ ಶ್ರೀ ಶಾಂತವೀರವಡೆಯರವರನ್ನೇ ಮುಂದೂವರ್ಮಾಡಬೇಕೆಂದು ಅನನ್ಯಭಾವದಿಂದ ವ್ಯಾರ್ಥಿಸುತ್ತೇನೆ, ಕಾಪಾಡಾಪ್ಪಾ.. 1930ನೆ ಯಿನಿ ಜನವರಿ ತಿಂಗ್ಳಾಲಿ. ಮಮ್ಮಲ್ಲರಿ ಯಿಂಚಿ ಮಾತ್ರಮೆ ಪಿಲ್ಲಲನು ಚದವಡಾನಿಕಿ ಮುಂದೆ ಪಿಲ್ಲಲನು ಚದವಡಾನಿಕಿ ಮಾತ್ರಮೆ ಮಿಗುಲುತುನ್ನಾರು. ಮಮ್ಮಲ್ಲನು ಚದವಡಾನಿಕಿ ಮುಂದೆ ಪಿಲ್ಲಲನು ಚದವಡಾನಿಕಿ ಮಾತ್ರಮೆ ಮಿಗುಲುತುನ್ನಾರು. ಮಮ್ಮಲ್ಲನು ಚದವಡಾನಿಕಿ

M. B. ಶಿವಪ್ಪ ಹಾಗಿ
B. Chick Pettah
K. T. Channabasavaradhya
M. N. Basava Avadhya.
ಎಂ.ಎಲ್. ಬನವಂದಿ ಎಂ.ಸ್.
19-11-1935
B. Rudrasetty
Setty of cotton pet
No. 173. Albert
Bangalore-ci.
ಕೆ.ಎಂ.ಬಿ. ಎಂಚುಪಾಕಿ ಹಾಗಿಂ
R. Eranguppa, Account Merchant
Bangalore City
Basada Rudrappa Setty
Mamool Rel
Bangalore. city
ಮಿನೆಪಲಿ ಪ್ಲೀಡರಿಗಿ ರಾಯಮಂಡಿ
ಸ್ಮಾಂ॥ ಬಾಲುಡು ಕೊಂಚೆ ಬಿ ವೆಂಕಟಪ್ಪ

C 122/35-36.
Encl one

GENL. & REV. SECRETARIAT 630 5 - JAN. 1937 MUZRAI BRANCH

(16)

OFFICE OF THE MUZRAI COMMISSIONER IN MYSORE,

Bangalore, ... 29th December ... 1936.

FROM

K. V. ANANTARAMAN, ESQ., B.A.,
Muzrai Commissioner in Mysore

Mzj 34-35-8

To

L. Venkatesa Iyengar, Esq.,
Secretary to the Government of His Highness the Maharaja of Mysore,
General Department.

GENERAL SECRETARY. 4 JAN. 1937 Muz

SIR,

Succession to the Sri Hari Siddeswara Mutt at Chikpet, Bangalore City.

Ramanular to write him informed 2/1/37

With reference to correspondence ending with your letter No. Genl. Muz. dated 8th October 1935 re. the above, I have the honor to forward here with a copy of letter No. C3-5332/35-34 dated 9th November 1936 received from the Deputy Commissioner, Bangalore District, giving cover to the record of enquiry conducted by the Sub Division officer, Bangalore, and stating that, for reasons explained, he is inclined to agree with his predecessor (i.e. K. V. Ramanathan) who recommended that "the Hari Chanta Veeraswami may be recognised as the Swami of the Mutt and trained under the guardianship and control of his father H. Gurubasava Sastri".

2. The Sub Division Officer, who conducted the enquiry, examined and recorded the evidence of 18 disciples on behalf of Sri Shanmabasa Swami and 15 on behalf of Sri Chanta Veera Guru. Briefly stated, the former have deposed that the Mutt in question is a Viraikta institution that Sri Channabasavaswami had been appointed as Guru of the Sri Mutt, that he (Sri Channabasavaswami) left for Digambara about 1907 and was managing the Hyderi Mutt for the Sri Mutt and that he is learned in Veera Saiva Dharma and is fit to do the functions of the Hari Siddes Swami Mutt. The latter have deposed that the Mutt is an ancient institution and no vacancy has arisen for the office of the Mutt, that Sri Siddaveeraswami was about 12 or 13 years and Sri Chanta Veera Guru, who is nominated by the late

Guru ... given more with the consent of the disciples, such ... as such. Even in the enquiry conducted in 1929-30, ... witnesses including the petitioner, were examined on his behalf and nine witnesses including the first counter-petitioner Sidda Veeraswami were examined on his behalf and, as usual, the former have said that the Mutt in question is subordinate to the Sri Murgi Mutt meaning thereby that it is a Virakta Mutt and the latter have said that it is an independent institution belonging to Ketara Mutt in the Himalayas which is a Pattada Mutt meaning thereby that it is an Acharya Peeta.

3. The Sub Division Officer (Mr. Abdul Mukh) conducted a detailed enquiry into the case (Mis.Muz.No.13 of 1929-30), examined the parties and their witnesses as above stated and submitted an elaborate report in the matter. In my capacity as the Deputy Commissioner of the Bangalore District at that time, I heard the Advocates for the parties and also examined the evidence recorded by the Sub Division Officer. I came to the conclusion (1) that the Muzrai Authorities are not competent to interfere in the present dispute of the two Swamies, (2) that it has not been shown that the previous approval of Government is necessary in regard to the selection of a Mari to this Mutt and that the dispute between the two Swamies should be adjudicated by a Civil Court of competent jurisdiction. In their order dated 31st January 1935 passed in Mus.Reveiw Nos 5 and 16 of 1933-34, Government observed that "succession to Mutts of the kind under consideration requires the previous sanction of Government as they enjoy inam lands granted by Government and that succession to the headship of this particular Mutt has to be settled by Government in accordance with the rules on the subject, and directed further enquiry, the claim if any, of Channabasavaswami being also considered in this connection.

4. The enquiry ordered above was conducted by the Sub Division Offi Mr. K. Basavaraj Urs) and he submitted his report dated 20th July 1935, recommending that the Mari Santha Veera Waderu may be recognised as the Swami of the Mutt and trained under the control of his father, Mr. Guru Basava Sastry. The Deputy Commissioner (Mr. A. V. Ramanathan) agreed with the Sub Division Officer and recommended that the proposals may be approved. A recommendation having been accordingly made in this office letter of 12th August 1935, it was observed in your letter dated 8th October 1935 that as 'the case in question is one in which the succession

be governed by the rules for succession of Gurus to Mutts and as there are two contending parties in this case, the proper procedure to be adopted in holding an enquiry would be for the officer holding such enquiry to summon the important disciples of the Mutt belonging to both the parties and ask them to select a proper successor to the headship of the Mutt" and accordingly it was ordered that the matter may be more fully and properly enquired into and further proposals submitted.

5. The present reference from the Deputy Commissioner is the result of the enquiry ordered by Government. As stated above, important disciples on behalf of both the contending Swamies have been examined and their evidence recorded. The Deputy Commissioner (Mr. H. V. Ramaswami) who heard the parties through their counsels after the Sub Division Officer's report and examined the records states that it is clear that there is a split among the devotees and both the candidates have a good following among whom are men of respectability and status, that neither of the parties has raised any new point for consideration and that in the circumstances of the case, he is inclined to agree with his predecessor, Mr. A. V. Ramanathan, in recommending that Mari Santha Veeraswami may be recognised as the Swami of the Mutt and trained under the guardianship and control of his father.

6. As observed by me in my Note of the 4th October 1932 and as stated by the Deputy Commissioner (Mr. A. V. Ramanathan), the late Sidda Veeraswami was in possession of the Mutt as Swami for quite a long time and in the absence of any other evidence and having regard to the long period of 3 decades during which the petitioner Channabasavaswami was outside, it has only to be assumed that he renounced his claims, if any, on the Mutt and that the late Sidda Veeraswami who, during this long period was looking after the Mutt, was there as a permanent measure. The Mutt in question is a minor one endowed with only a bit of ~~the~~ inam land. Besides, as the community is divided into 2 parties, each advocating the candidature of its own choice, it will not be possible to come to any agreed settlement. The enquiry conducted more than once has been fully and properly done and fair opportunities have been afforded to both the contending parties to adduce evidence and examine witnesses. It does not seem to be necessary to come to any definite conclusion whether the Mutt is a Virakta or Acharya Peeta, as in either case the approval of Government is necessary. In view of these considerations, I agree in the

opinion expressed by the Deputy Commissioners (Messrs. A. and H. V. Ramaswami) and accepted by my predecessor also, and recommend that the nomination of Santha Veera Waderu made by the late Swamigalu, may be recognised. If the other party has any right or claim it must establish it by means of a Civil suit. Disputes about succession are not properly matters which can be decided by the Muzrai Department.

7. The entire file of vernacular papers is sent for reference.

I have the honor to be,

Sir,

Your most obedient servant,

Muzrai Commissioner.

Letter No.C3-3332/33-34 dated 9-11-36 from the Deputy Commissioner Kolare District, to the Muzrai Commissioner in Mysore.

With reference to your Memo No.C.172/35-36 dated 14th October 1935 returning the records relating to the selection of a candidate for the headship of Sri Kari Siddeswara Mutt, Chickpet, Bangalore City, for a further enquiry on the lines suggested by the General Secretary to Government in his letter dated 8th October 1935, I have the honor to state that the necessary enquiry was held by the Sub Division officer, Bangalore, & reported in his Letter No.Mis.Case 3/34-35 dated 1st July 1935 after summoning the important disciples of the Mutt belonging to both the parties. Among the disciples summoned for enquiry, it is reported that 12 disciples have selected Sri Channabasavaswami as Swami of the Mutt and the rest (13 others) have select Sri Shantaveera Vaderu.

(2) After the receipt of the report of the Sub Division Officer, in this office, Sri Channabasavaswami and some of his disciples petitioned this office praying that they might be heard by me before the records were submitted to Government. Accordingly, notices were issued to both the parties and they were heard through their Counsels. No fresh ground was, however, traversed by either of the parties before me.

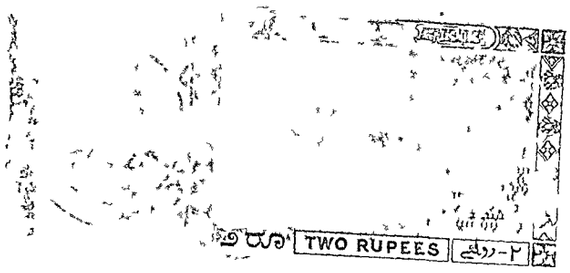
(3) I have gone through the records. It is clear that there is a split among the devotees and both the candidates have a good following among whom are men of respectability and status. Neither of the parties have raised a new point for consideration. In the above circumstances, I am inclined to agree with the report already made in this office letter No.C3-3332/33-34 dated 2-8-1935 by my predecessor.

(4) The entire file of records together with the Sub Division Officer's report dated 1st July 1936 accompanies.

"C O P Y"

Gullikarjunaiah

For Muzrai Commissioner.



(7)

Before the Court of Mysore — ಕೋರ್ಟಿನಲ್ಲಿ

ಬೆಂಗಳೂರು

1935–1936 ನೇ mis I ನಂಬರು 24

ವಾದಿ ಯಾ ಅರ್ಜಿದಾರ್ — ಪ್ರತಿವಾದಿ ಯಾ ಅಪೊನೆಂಟ್

Nagappa — Vs — Sri Santhanna Maniavaru

S/Shivappa
Advocate

Sri Santhanna ಬರೆಸಿಕೊಟ್ಟ ವಕಾಲತ್ ನಾಮಾ

Gundurao Bangalore by
Sri Seethanthi Sunkasanasashi

ಈ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಆಜ್ಞೆರುವರಿಗೂ ಕೋರ್ಟಿನಲ್ಲಿ ವಿವಾದ ನಡೆಸುವುದಕ್ಕೂ ನನ್ನ ಪರವಾಗಿ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಅರ್ಜಿರನ್ನೂ ಡಿಕ್ರಿಯನ್ನೂ ಜಾರಿ ಕ್ರಮ ನಡೆಸಿ ಹಣ ವಸೂಲುಮಾಡಿ ಕೊಳ್ಳುವುದಕ್ಕೂ ನನಗೆ ಕೋರ್ಟಿನಿಂದ ನಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ ಮೊಬಲಗು, ಶಿಲ್ಕು ಮೊಬಲಗು, ಪ್ರೋಸೆಸ್ ಸ್ಟ್ಯಾಂಪು, ದಾವಾಸ್ಟ್ಯಾಪು ಸಹ ಪಡೆಯಲಿಕ್ಕೂ ದಸ್ತೈವಜು ವಗೈರೆಗಳನ್ನು ವಾಪಸು ಪಡೆಯಲಿಕ್ಕೂ ಸೇಲ್ಕುಂಡ ಕೇಸಿನಲ್ಲಿ ರಾಜಿ ವಗೈರೆ ಮಾಡಿಕೊಳ್ಳಲಿಕ್ಕೂ ಮೊಖದ್ದಮೆಯನ್ನು ವಾಪಸ್ ಪಡೆಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿದೇನೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ನುತ್ಯಾನ ಲಾಯರಾಗಲಿ ಡಿಟೋ ಮೊಖದ್ದಮೆಯಲ್ಲಿ ನಡೆಯಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನೂ ನಾನು ಖುದ್ದು ಇದ್ದು ನಡೆಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇರುತ್ತೇನೆ.

ತಾರೀಖು } ರುಜು

ಈ ಮೊಕ್ತಾರುನಾಮಾ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ಥರಾಗಿ ಸಮಕ್ಷಮ ರುಜು ಮಾಡಿರುತ್ತಾರೆ.

ಅಡ್ವೊಕೇಟ್ಸ್

ಈ ಮೊಕ್ತಾರುನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇಟ್ಟೆನೆ

S/Shivappa

ಅಡ್ವೊಕೇಟ್ಸ್

ವಿ. ಡಿ. ಪ್ರೆಸ್, ಬಿ ಸಿಟಿ.

GENL. & REV. SECTT.
290-289
5 SEP 1937

Encl. 2 B
With Endorsement
MM
14/9

Genl. Secy. with
compts MM

GENERAL SECRETARY.
14 SEP. 1937

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE, BANGALORE.

Muzrai. Mis. No.24 of 35 - 36.

Petitioners:-	Opponents:-
M. Nagappa and others.	Siddhanti Gurubasava Sastry and others.

The first opponent Siddhanti Gurubasavasastri begs to state as follows:-

The advocates for both parties addressed arguments to the Hon'ble court on the 11th instant regarding the fitness of Sri Panthaveera Yodier to Sri Marisiddeswara Mutt Bangalore City and orders are reserved.

2. During arguments the opponent's advocate brought to the notice of the Hon'ble court, the Sannad granted to the first opponent by Sri Jagadguru Balehonnur Swamigalu conferring upon him the title of Jotishyalankara; when the Hon'ble court was pleased to observe that a certificate from the Institution where the minor Swami is receiving religious instructions should be produced early.

3. The first opponent begs leave to accordingly produce herewith the certificate given by the Head of Sri Jagadguru Gurubodi Panchacharya Sabha, Bellary, Sri Panthaveera Yodier, is receiving -

religious instructions and Sanskrit Education.

The first opponent prays that the Hon'ble [illegible] to refuse the certificate before [illegible] final orders in the case.

[illegible]
Advocate for the first opponent.

[illegible]
the first opponent.

॥ ಶ್ರೀ ಜಗದ್ಗುರು ರೇಣುಕಾದಿ ಪಂಚಾಚಾರ್ಯಾಃ ಪ್ರಸೀದಂತು ॥

ಶ್ರೀ ಜಗದ್ಗುರು ರೇಣುಕಾದಿ ಪಂಚಾಚಾರ್ಯ
ಸಂಸ್ಕೃತಕಾಲೇಜ್ ಫ್ರೀ ಬೋರ್ಡಿಂಗ್ ಸಂಸ್ಥೆ,
(ಶ್ರೀ ಮಹಂತಿನ ಮಠ) ಚಿಕ್ಕಪೇಟೆ,
ಬೆಂಗಳೂರು ಸಿಟಿ.

Sri Jagadguru Renukadi Panchacharya
Sanskrit College Free Boarding
Mahantina Mutt, Chickpet,
Bangalore City.

Date 193

ಪಂಕ್ತಿಭೇದ ಸ್ವೀಕರಿಸಿದ್ದಬಡೆಯುವರೆವರೆಗೂ ಹಾಲು ಸ್ವೀಕರಿಸಿದ್ದಬಡೆಯುವರೆಗೂ
ಪಾಂಕ್ತೇಯರಬಡೆಯುವರೆಂಬ ವಿದ್ಯಾಭ್ಯಾಸ ರುದ್ರ, ಚಮಕ, ಪುರುಷಸೂಕ್ತ ವೇದಾದಿಯಾದ
ವೈದಿಕಸಂಸ್ಕೃತಾಗಳು ಕಾಲಕಾಲಕ್ಕೆ ಪಾಠವಾಗುತ್ತದೆ. ಪಂಕ್ತಿ ಭೋಜ್ಯವಿಷಯದಲ್ಲಿ ಪುಂಭೂವಿಕಾಭಾವವು
ಪ್ರಚಲಿತವಾಗುತ್ತಿದೆ. ಈಗಿನ ವೀರಶೈವಪುರಾಣದ ಪ್ರಕಾರ ಪದಾಚಾರ್ಯರೆಂಬುವಲ್ಲಿರುತ್ತಾನೆ.

ಭಾಷ್ಪಪಂಚ - ಸುಬ್ಬಪಳನಿಂಮುಖಾಲ್ಪ್ರಿ

ಅಧ್ಯಾಪಕ

ತಾ 13-9-37

Proceedings of the Government of His Highness the Maharaja of Mysore.

R e a d :-

Memo No.1096/Muz.303-32-12 dated 31st January 1935 to the Muzrai Commissioner forwarding a copy of the decision in Muz.Review Nos.15 and 16 of 1933-34 in regard to the headship of Sri Karisiddavadeer Mutt, Bangalore City.

2. Petition dated 3rd October 1935 from ~~the~~ M.Nagappa (Contractor and Secretary, Mysore Lingayet Education Fund Association) and other disciples of the Mutt praying for an opportunity being given to them to present their case on the point of succession to the Mutt.

3. Petition dated 19th November 1935 from V.N.Basavaradhya and other disciples of the same Mutt praying for the recognition of Santhaveera Vadeer nominated by the deceased Guru of the Mutt as his future successor.

4. Correspondence ending with letter No.C.172/35-36 dated 29th December 1936 from the Muzrai Commissioner submitting proposals for the recognition of a Guru to the Mutt.

O r d e r No. 850 - 2 / Muz 84-35-9 Enc. one & nine file, B.M.C.

Dated, Bangalore, the 8th December 1937.

Sri Karisiddavadeer Mutt, Bangalore City, is a Muzrai Institution endowed with Devadaya Inam lands in the Bangalore Taluk. Channabasaswami who was the Guru of the Mutt prior to 1909, went to Byadgi for further studies after handing over charge to Siddaveeraswami, and did not return for nearly twenty years. In the meanwhile, Siddaveeraswami executed a trust deed on 18th November 1929 in favour of ~~this~~ his brother's son, Siddhanthi Gurubasava Sastri, wherein he nominated the latter's son as his future successor, and desired that, as the nominee was of six years of age, the future affairs of the mutt might be managed by his father till the ~~man~~ attained majority. At this juncture Channabasaswami returned from Byadgi, and advanced his claim for the headship of the Mutt. While the matter was under consideration, Siddaveeraswami

and the Government finally ordered that steps should be taken ~~to recognise~~ to recognise some person as the head of the Mutt, and that in this connection the claims of Channabasavaswami might be considered.

2. The Muzrai Officers after hearing the parties have reported that there is a split among the devotees, that both the candidates have a good following among whom are men of status and responsibility, and that ~~Channabasawam~~ Channabasavaswami having been outside for nearly three decades should be deemed to have renounced his claims to the headship of the Mutt. The Muzrai Commissioner agreeing with them has recommended approval to the recognition of Santhaveeravadeer selected by the deceased Guru.

The parties with their Counsel were heard on 11th September 1937. It is clear that there is a split amongst the disciples, each side claiming that it has got the majority of disciples on its side and disputing the statements made by the other party. The main points that seem made out are that Channabasavaswami was away for a long time and that Siddaveeraswami was in charge during all that period and that he nominated before his death a young man to succeed him.

After elaborate enquiries the Deputy Commissioner and the Muzrai Commissioner recommend that this nomination may be accepted. The objection by the petitioners that it is a Virakta Mutt is not borne out clearly, and as stated before, the division of disciples ~~in~~ in favour of either side is fairly equally balanced. In these circumstances Government accept the concurrent recommendation of the Deputy Commissioner and the Muzrai Commissioner, and are pleased to recognise Shantaveera Vadeer as the Guru of the Mutt.

For General Secretary to Government.

To

The Muzrai Commmissioner in Mysore, with records.
The Comptroller to Government.
The Revenue Commissioner in Mysore.

mk.7

SUBJECT .....

.....

.....

Diary. No. of letter replied to.....630.

General and Revenue Secretariat

( )

the *193* .

Date of issue..... ....193 .

Signed by ....

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette, English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette, Kannada Part ?

orders of the Govt. be passed

Section Muz

File No.

Serial No.

Proceedings of the Government of His Highness the Maharaja of Mysore.

Read— Memo no 1096/Muz 303-37 dt 31.1.35 to the M.C. forwarding a Copy of the decision in Muz. Revn Nos 15 & 16 of 1933-34 in regard to the headship of Sri Kasivilasa Vadeer Mutt Bangalore city

2) Petn dt 3.10.35 from Order thereon.—No. M. Nagappa (Contractor & Sec. Mysore Lingayat Edn. Fund Association) and other disciples of the Mutt praying for an opportunity being given to them to present their case on the point of succession to the Mutt.

& other disciples of the same Mutt praying

for the recognition of Santhaveera Vadeer

nominated by late deceased Guru of

the Guru as his future Successor.

4) Correspondence ending with

letter no C172/35-36 of 29.12.31

from the H.C. submitting proposals

for the recognition of a Guru to

the Mutt.

order no 850-29/10+12-37

Sri Kanishtha Vadeer Mutt

Bangalore city is a Muzr. Instn

endowed with Devadays

Inam lands in the Bangalore Dt.

Chamarasa Swami who was

the Guru of the Mutt prior to 1909

went to Bycadgi for further

Studies after handing over Charge

to Siddaveera Swami & did not

return for nearly twenty years.

In the meanwhile Siddaveera

Swami executed a Trust deed

on 18/4/1929 in favour of

List of Enclosure

Copied by

Examined by

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*

his brother's son, Siddhantee Gumbaseva Sastri wherein he Nominated the Tatee's Son as his future Successor & desired that as the Nominee was of Six years of age the future affairs of the Mutt might be managed by his father for the Mean while Majority - At this juncture Chamraj was also Swamie returned from Mysore, & advanced his Claim for the headship of the Mutt - While the Matter was under consideration, Siddaveera Swamie passed away, & the Govt finally ordered that steps should be taken to recognise some person as the head of the Mutt, & that in this connection the Claims of Chamrajaoor Swamie might be considered -

& We may add

After hearing the parties have
reported that there is a split
among the devotees, that both
the Candidates have a good following
among whom are men of stature
and responsibility & that Chinmayananda
Swami having been outside for
nearly three decades, should be
deemed to have renounced his claims
to the headship of the Mutt. The
Mutt's governing body has
recommended approval to the recognition
of Santhaveeravadeer selected
by the deceased Guru.

The parties to the
Counsel were heard on 11/9/1937.
It is clear that there is a split
amongst the disciples, each
side claiming that it has got
the majority of disciples on its
side. ~~Each party to the suit~~
Documents filed by Statements made
by the other party

G. R. S. App. F. G. 3.

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*

points that seem made out are that Channabasava Swamie was away for a long time, & that Sivadasa Swamie was in charge during all that period & that he nominated before his death a young man to succeed him.

As to elaborate enquiries the D.C & the M.C's recommend that this nomination may be accepted. The objection by the petrs that it is a voluntary Mutt is not borne out clearly & as stated before, the division of disciples in favour of either side is fairly equally balanced. The Government recommendation of the Dy. Comm'r & the M.C is accepted &

Will it be Civil Service

To

the M.C. to be informed

the Comm'r.

Can we send for records of the Shamivana Verdict in the case of the Math

1/m

24/11

WD 0193—G"B—1,000 -6 9 34

853 f 10-12-37

B.A.Z. Advocate for Mr. M. Nadkarni

& others

Cdes & Mrs. J. Krishnakka B.A. 8 S-4/Mes

Advocate for Santhaveera (10 - 12 - 3)

Vadeer & others —

15 —